

U S Army Corps
of Engineers
Huntington District

Public Notice

In reply refer to Public Notice No. LRH-2007-286-KAN Issuance Date: **March 12, 2008**

Stream: Lick Run

closing Date: **April 11, 2008**

Please address all comments and inquiries to:

U.S. Army USACE of Engineers, Huntington District

ATTN: CELRH-OR-F Public Notice No. (*reference above*)

502 Eighth Street

Huntington, West Virginia 25701-2070

Phone: (304) 399-5710

PUBLIC NOTICE: The purpose of this public notice is to inform you of a proposal for work in which you might be interested. It is also to solicit your comments and information to better enable us to make a reasonable decision on factors affecting the public interest. We hope you will participate in this process.

REGULATORY PROGRAM: Since its early history, the U.S. Army Corps of Engineers (USACE) has played an important role in the development of the nation's water resources. Originally, this involved construction of harbor fortifications and coastal defenses. Later duties included the improvement of waterways to provide avenues of commerce. An important part of our mission today is the protection of the nation's waterways through the administration of the USACE Regulatory Program.

SECTION 10: The USACE is directed by Congress under Section 10 of the Rivers and Harbors Act of 1899 (33 USC 403) to regulate all work or structures in or affecting the course, condition or capacity of navigable waters of the United States. The intent of this law is to protect the navigable capacity of waters important to interstate commerce.

SECTION 404: The USACE is directed by Congress under Section 404 of the Clean Water Act (33 USC 1344) to regulate the discharge of dredged and fill material into all waters of the United States, including wetlands. The intent of the law is to protect the nation's waters from the indiscriminate discharge of material capable of causing pollution and to restore and maintain their chemical, physical and biological integrity.

TO WHOM IT MAY CONCERN: The following application has been submitted for a Department of the Army Permit under the provisions of Section 404 of the Clean Water Act. This notice serves as the USACE request to the West Virginia Department of Environmental Protection (WVDEP) to act on Section 401 Water Quality Certification for the following application.

APPLICANT: Pioneer Fuel Corporation
400 Patterson Lane
Charleston, West Virginia 25311

LOCATION: The proposed project can be found at latitude 37°53'24" and longitude 81°17'40" on the Pax and Eccles USGS quadrangle maps 7.5 minute series in Fayette and Raleigh Counties, West Virginia. The proposed project would result in disturbances within Lick Run and Right Fork of Lick Run, all of which are tributaries of Clear Fork, and Maynor Branch, Right Fork of Dixon Branch and Willis Branch, all of which are tributaries of Paint Creek. Clear Fork flows into the Big Coal River, a navigable water of the United States. Paint Creek and the Big Coal River ultimately flow into the Kanawha River, a navigable water of the United States.

DESCRIPTION OF THE PROPOSED WORK: The applicant proposes to discharge dredged and/or fill material into 9,539 linear feet of waters of the United States in conjunction with the construction, operation and reclamation of the MT-5B Surface Mine [approved under the Surface Control Mining and Reclamation Act (SMCRA) permit S-3010-06 and National Pollutant Discharge Elimination Permit WV1022121]. The applicant proposes to mine the Eagle, Powellton, Alma, Cedar Grove, Chillton, Campbells Creek, Peerless and the No. 2 Gas coal seam beds by the mountaintop and contour methods. Project components would include a five permanent valley fills (No. 1, 2, 3, 4 and 5), one mine-through area, and five temporary drainage control structures (No. 1, 2, 3, 4 and 5). Construction of the proposed drainage control embankments (No. 2, 3, 4 and 5) would result in temporary, direct discharges of dredged or fill material into 432 linear feet of waters of the United States. Drainage Control Structure No. 1 would be constructed outside of waters of the United States. Construction of the proposed underdrain systems associated with Valley Fills 1, 2, 3, 4 and 5 and recovery of coal reserves underlying the 3rd Left Hand Tributary of Willis Branch would result in the permanent, direct discharges of dredged material into 9,106 linear feet of stream channels. Details regarding the direct and indirect impacts of the proposed activities on waters of the United States are listed in the Table A of this public notice. The purpose of the proposed project is to construct attendant and associated features (i.e. overburden disposal and sediment control etc.) and to facilitate efficient extraction of 5.9 million tons of coal reserves in the SMRCA permitted area (723.45 acres) for a period of 10 years. Coal removed from the project area would be processed and moved off-site for delivery to customers. Plans for the proposed facility are attached to this public notice.

ALTERNATIVE ANALYSIS: This project is not considered to be water dependent; therefore, the applicant is required to show that other less damaging practicable alternatives are not available that would achieve the overall project purpose. No permit will be issued until our review of the alternative analysis clearly shows that upland alternatives are not available to achieve the overall project purpose.

MITIGATION PLAN: A Compensatory Mitigation Plan has been submitted to the USACE to compensate for permanent and temporary impacts to waters of the United States. The applicant proposes to create 7,358 feet/1.190 acres of intermittent/ephemeral stream channel and 2.152 acres of wetlands, enhance 8,700 feet/11.580 acres of stream channel, and re-establish/restore 2,111 feet/0.198 acre of intermittent/ephemeral stream channel.

WATER QUALITY CERTIFICATION: A Section 401 Water Quality Certification is required for this project. It is the applicant's responsibility to obtain certification from the WVDEP.

HISTORIC AND CULTURAL RESOURCES: The National Register of Historic Places (NRHP) has been consulted and it has been determined there are no properties currently listed on the register that are in the area affected by the project. In a letter dated July 27, 2006, the West Virginia Division of Cultural and History stated "we have determined that no known archaeological sites listed on or eligible for inclusion in the National Register of Historic Places will be affected by the proposed mining activities....As no such structures of historical significance remain in the proposed area of impact, there will be no adverse effects on architectural resources." A copy of this public notice will be sent to the West Virginia Division of Culture and History for their review. Additional comments concerning archeological sensitivity of a project area should be based upon collected data.

ENDANGERED/THREATENED SPECIES REVIEW: Two federally listed endangered species, the Indiana bat (*Myotis sodalis*) and Virginia big-eared bat (*Corynorhinus townsendii virginianus*), may occur within the project area. The applicant retained the services of Compliance Monitoring Labs, Inc. to complete a bat-mist net survey to determine presence or probable absence of the Indiana bat within the proposed project area. Four species were captured consisting of Northern long-eared bats (*Myotis septentrionalis*), Little brown bats (*Myotis lucifugus*), Big-brown bats (*Eptesicus fuscus*) and Silver-haired bats (*Lasionycteris noctivagans*). No federally listed endangered bat species was captured as a result of


the survey efforts. A Phase I habitat suitability survey was conducted in February 2007 on six deep mine openings that could potentially be considered as winter habitat for hibernating bat species. All openings located lacked suitable characteristics needed to harbor hibernating endangered bat species, and therefore were eliminated as potential hibernacula. This public notice serves as a request to the USFWS for any additional information they may have on whether any listed or proposed to be listed endangered or threatened species may be present in the ESA Species Act of 1972 (as amended).

PUBLIC INTEREST REVIEW AND COMMENT: Any person who has an interest that may be adversely affected by the issuance of a permit may request a public hearing. The request must be submitted in writing to the District Engineer on or before the expiration date of this notice and must clearly set forth the interest, which may be adversely affected, and the manner in which the interest may be adversely affected by the activity. This application will be reviewed in accordance with 33 CFR 320-331, the Regulatory Program of the USACE, and other pertinent laws, regulations, and executive orders. Our evaluation will also follow the guidelines published by the United States Environmental Protection Agency pursuant to Section 404(b)(1) of the CWA. Interested parties are invited to state any objections they may have to the proposed work. The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit that reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors that may be relevant to the proposal will be considered including the cumulative effects thereof; of those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership and, in general, the needs and welfare of the people. Written statements on these factors received in this office on or before the expiration date of this public notice will become a part of the record and will be considered in the final determination. A permit will be granted unless its issuance is found to be contrary to the public interest.

SOLICITATION OF COMMENTS: The USACE is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. For accuracy and completeness of the administrative record, all data in support of or in opposition to the proposed work should be submitted in writing setting forth sufficient detail to furnish a clear understanding of the reasons for support or opposition. Any comments received will be considered by the USACE to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

CLOSE OF COMMENT PERIOD: All comments pertaining to this Public Notice must reach this office on or before the close of the comment period listed on page one of this Public Notice. If no comments are received by that date, it will be considered that there are no objections. Comments and requests for additional information should be submitted to Mrs. Teresa Spagna, Project Manager, South Regulatory Section, CELRH-OR-FS, USACE Huntington District, 502 Eighth Street, Huntington, West Virginia 25701-2070.

Please note names and addresses of those who submit comments in response to this public notice become part of our administrative record and, as such, are available to the public under provisions of the Freedom of Information Act. Thank you for your interest in our nation's water resources. If you have any questions concerning the above, please contact Mrs. Teresa Spagna of the South Regulatory Section at (304) 399-5710.

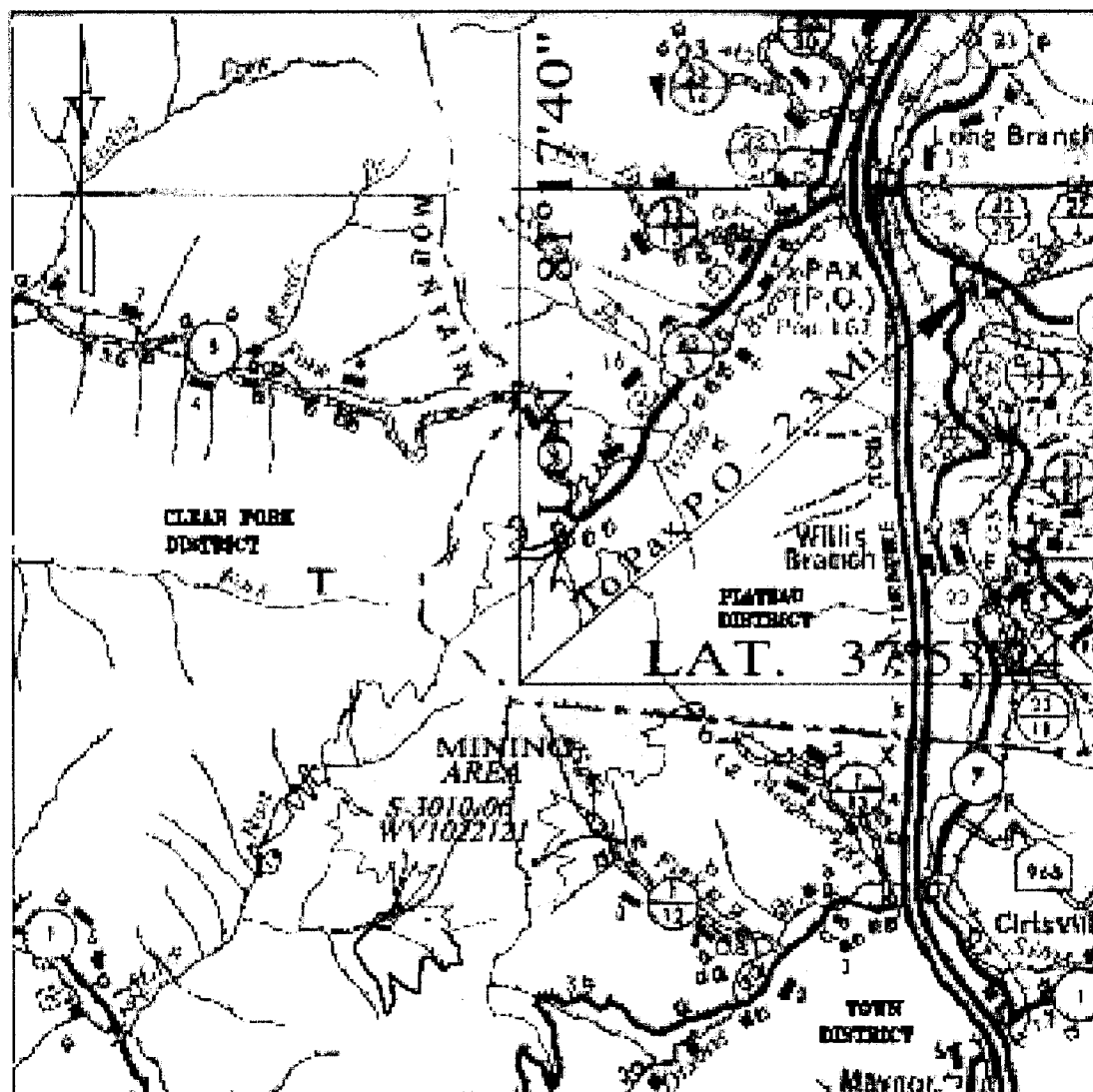


Ginger Mullins, Chief
Regulatory Branch

(W)

Table 1. Proposed Direct and Indirect Impacts to Waters of the United States at the MT-5B Surface Mine.

Stream Name	Location	Permanent Impacts				Temporary, Direct and Indirect Impacts			
		Intermittent		Ephemeral		Intermittent		Ephemeral	
		(Ft)	(Ac)	(Ft)	(Ac)	(Ft)	(Ac)	(Ft)	(Ac)
Main Channel of Lick Run	Lick Run	1,100	0.152	0	0	0	0	0	0
Valley Fill 1/Total Impacts		1,100	0.152	0	0	0	0	0	0
Right Fork of Lick Run	Main Channel of the Right Fork of Lick Run	1,900	0.239	0	0	300	0.042	0	0
Right Fork of Lick Run	1 st Right Hand Tributary of the Main Channel of the Right Fork Of Lick Run	0	0	0	0	100	0.006	0	0
Right Fork of Lick Run	2 nd Right Tributary of the Main Channel of the Right Fork of Lick Run	600	0.033	0	0	0	0	0	0
Valley Fill 2/Drainage Control Structure (Pond) No.2 Total Impacts		2,500	0.272	0	0	400	0.048	0	0
Right Fork	Main Channel of Right Fork	589	0.066	11	0.001	420	0.066	0	0
Right Fork	8 th Left Hand Tributary of the Main Channel of Right Fork	133	0.010	0	0	0	0	0	0
Valley Fill 3/Drainage Control Structure (Pond) No. 3 Total Impacts		722	0.076	11	0.001	420	0.066	0	0
Maynor Branch	Main Channel of Maynor Branch	1,135	0.035	0	0	375	0.011	0	0
Maynor Branch	4 th Left Hand Tributary of the Main Channel of Maynor Branch	100	0.005	194	0.006	0	0	0	0
Maynor Branch	3 rd Left Hand Tributary of the Main Channel of Maynor Branch	0	0	0	0	181	0.007	0	0
Valley Fill 4/Drainage Control Structure (Pond) No. 4 Total Impacts		1,235	0.040	194	0.006	556	0.018	0	0
Willis Branch	Main Channel of Willis Branch	1,154	0.171	956	0.083	415	0.047	0	0
Willis Branch	3 rd Left Hand Tributary of Willis Branch (Mine-Thru Area)	114	0.007	0	0	120	0.011	0	0
Willis Branch	4 th Left Hand Tributary of the Main Channel of Willis Branch	820	0.035	0	0	0	0	0	0
Willis Branch	3 rd Right Hand Tributary of the Main Channel of Willis Branch	300	0.016	0	0	0	0	0	0
Willis Branch	2 nd Right Hand Tributary of the Main Channel of Willis Branch	0	0	0	0	50	0.002	150	0.006
Valley Fill 5/Drainage Control Structure (Pond) No.5 Total Impacts		2,388	0.229	956	0.083	585	0.060	150	0.006
Total Impacts		7,945	0.769	1,161	0.090	1,961	0.192	150	0.006



General Location Map

Taken From the Fayette & Raleigh County Highway Maps

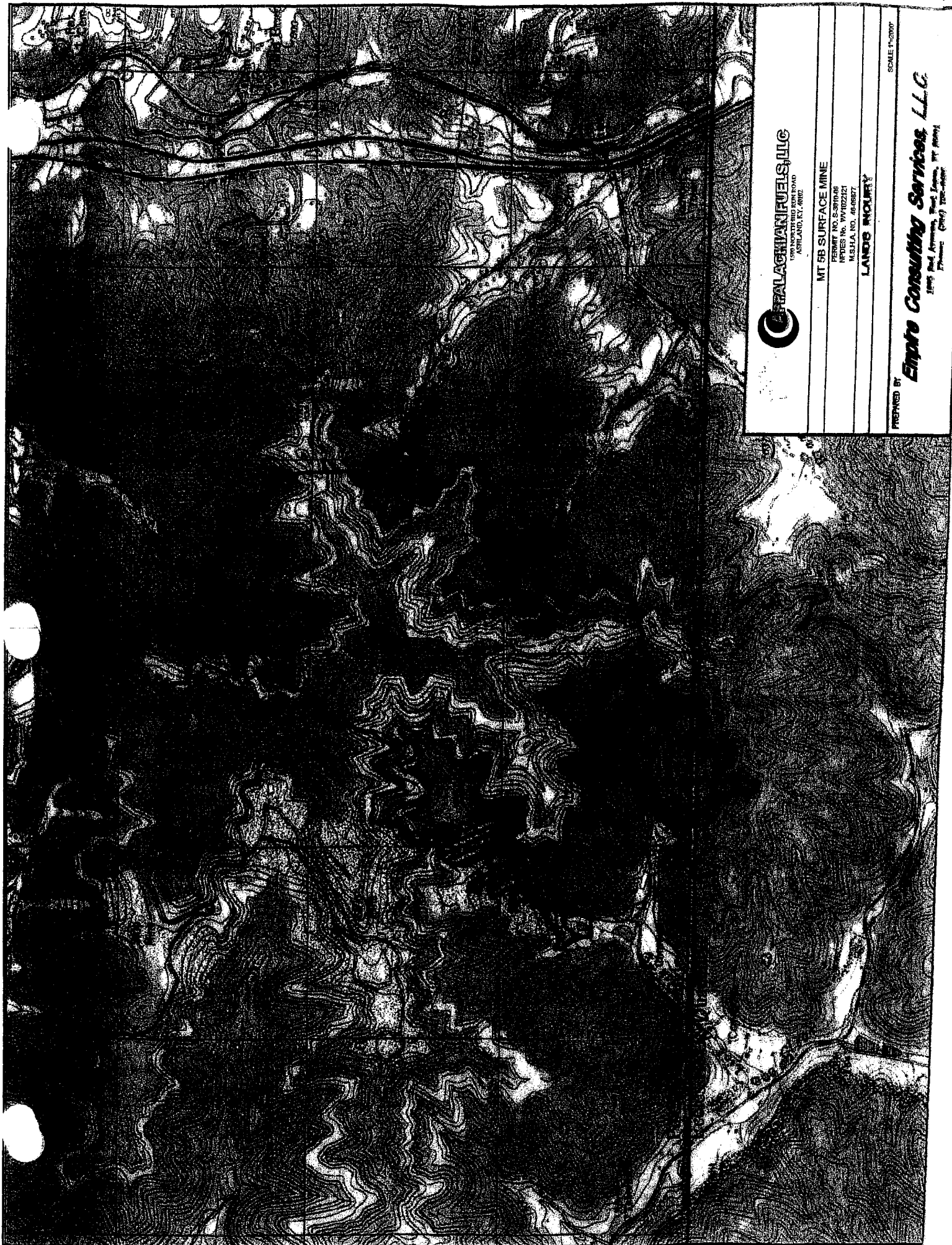
Plateau District, Fayette County

Clear Fork & Town Districts, Raleigh County

Receiving Streams: Willis Branch & unnamed tributaries of Willis Branch; Maynor Branch of Dixon's Branch; Right Fork & unnamed tributaries of Right Fork of Dixon's Branch; all of Paint Creek of Kanawha; Lick Run and unnamed tributaries of Lick Run of Clear Fork of Coal River of Kanawha.

Scale: 1" = 1 Mile

Pax and Eccles Quadrangles



CERIALAGIAN FUELS, LLC
1000 NORTH ST. 1000
ASHLAND, KY 40002

MT. FB SURFACE MINE

PERMIT NO. S-070406
INDEX NO. 100210
MSHA NO. 46-0087

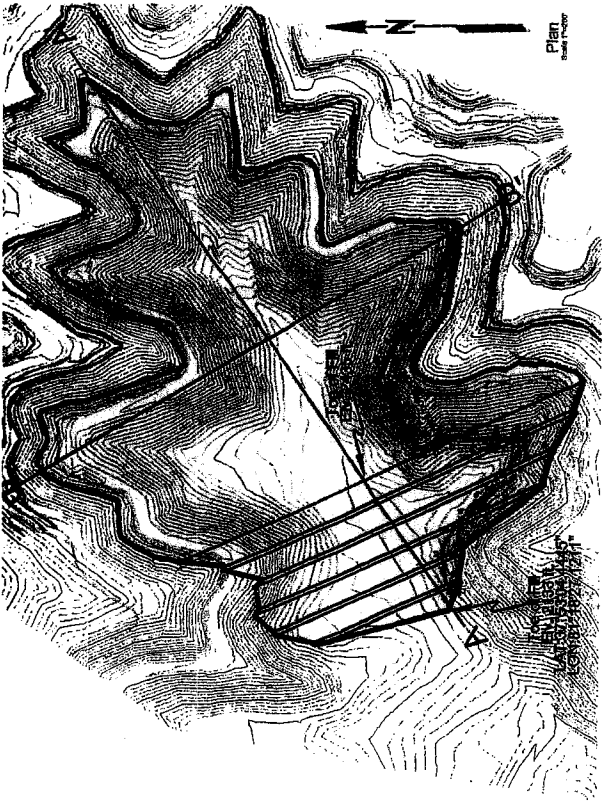
LANDS INQUIRY

PREPARED BY

Empire Consulting Services, LLC

1000 Red Avenue, West Leno, NY 10984
Phone: (845) 238-4444

SCALE 1"=200'

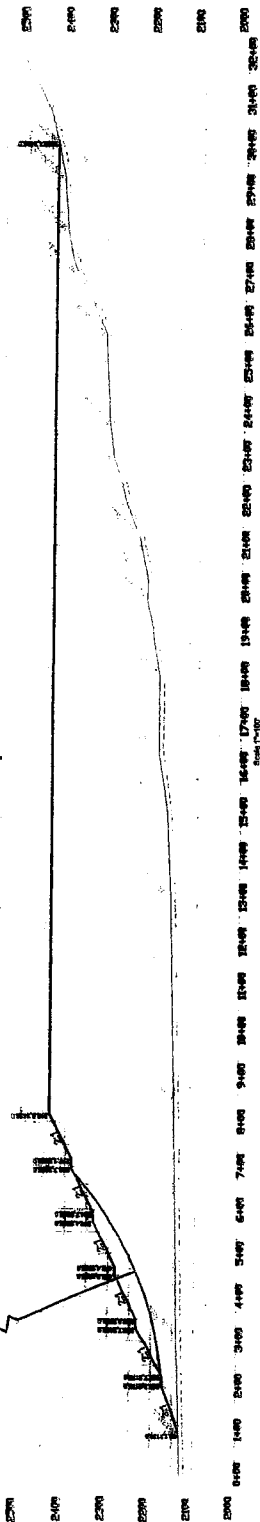


Volume Report

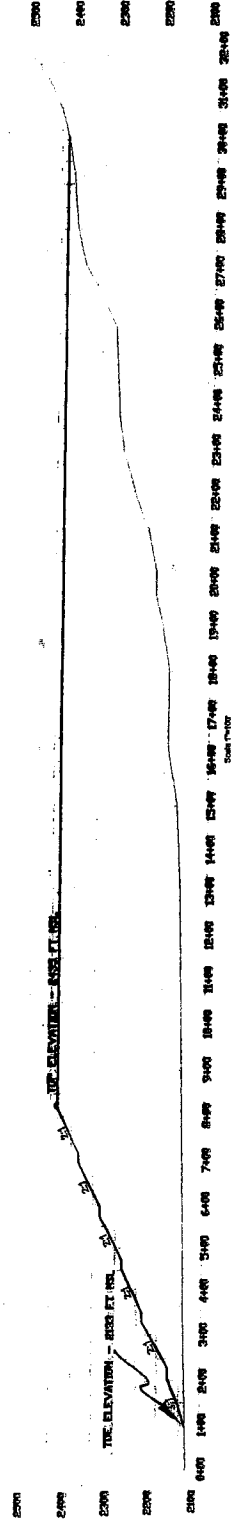
Area In Cut: 29,833.6 S.F., 0.68 Acres
 Area In Fill: 3,427,718.8 S.F., 78.69 Acres
 Total Inclination Area: 3,457,552.3 S.F., 79.37 Acres
 Cut to Fill Ratio: 0.00
 Cut Slope Factor: 1.00
 Fill Slope Factor: 1.00
 Average Cut Depth: 7.40 Average Fill Depth: 122.19
 Cut (C.Y.) / Area (acres): 102.86
 Fill (C.Y.) / Area (acres): 195438.13
 Cut Volume: 220,847 A.C.F., 8,172.13 C.Y.
 Fill Volume: 418,846,894.6 C.F., 15,612,788.80 C.Y.

Plan
 Scale: 1"=100'

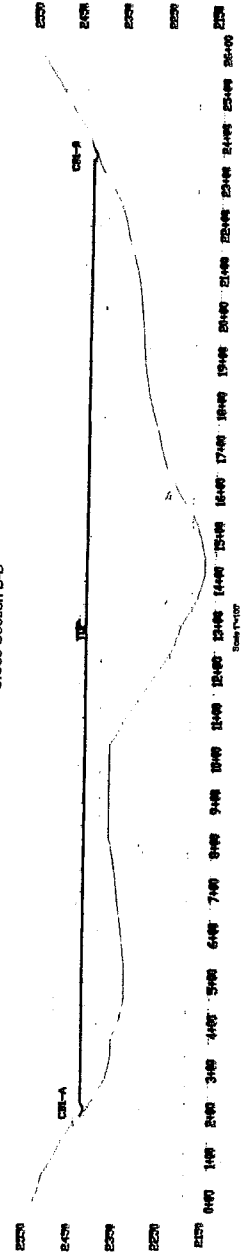
Stability Profile



Profile A-A'



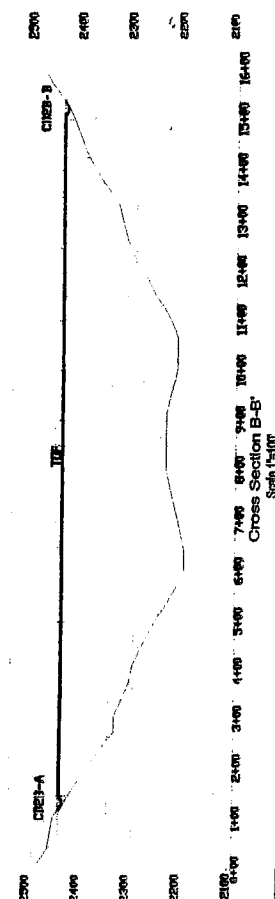
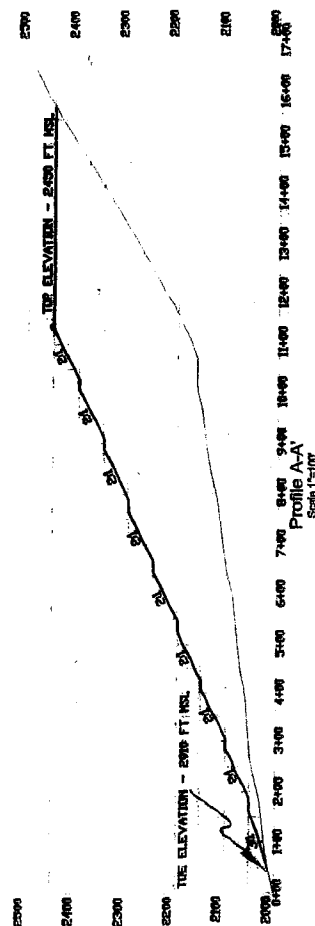
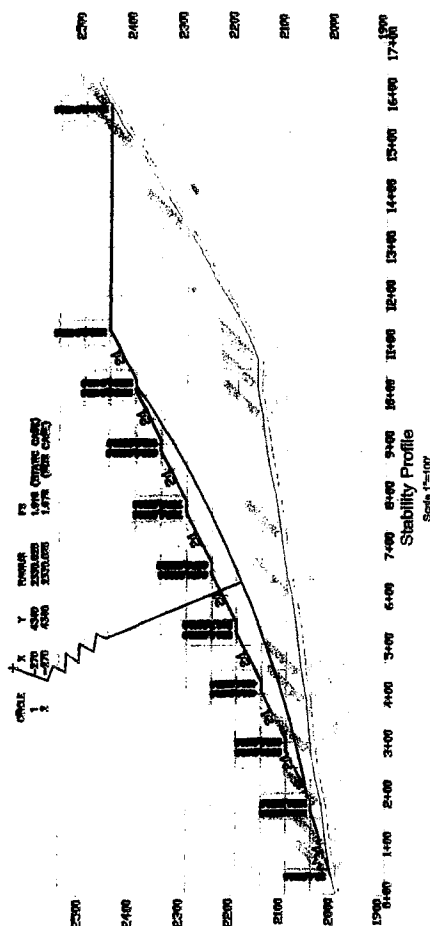
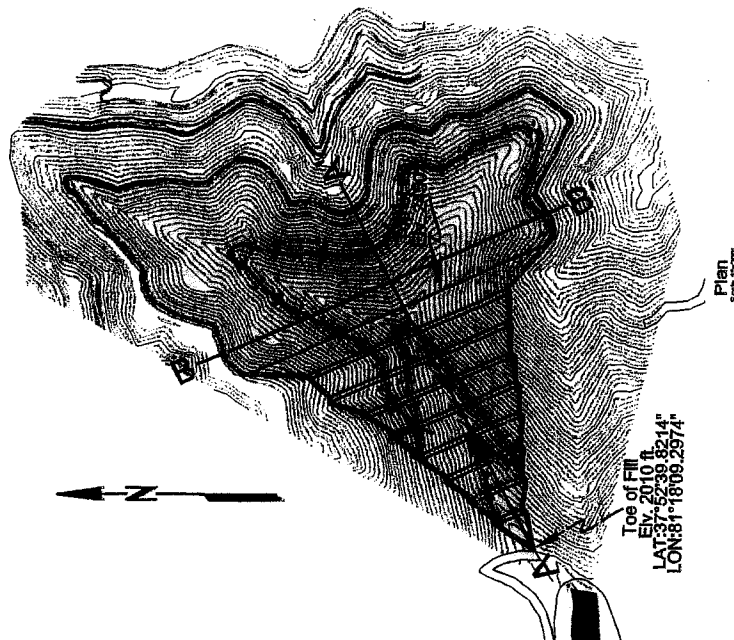
Cross Section B-B'



NO.	DATE	BY	CHKD.	APPD.	REVISION
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151	10/1/00	J. L. HARRIS			2.50
152	10/1/00	J. L. HARRIS			2.51
153	10/1/00	J. L. HARRIS			2.52
154	10/1/00	J. L. HARRIS			2.53
155	10/1/00	J. L. HARRIS			2.54
156	10/1/00	J. L. HARRIS			2.55
157	10/1/00	J. L. HARRIS			2.56
158	10/1/00	J. L. HARRIS			2.57
159	10/1/00	J. L. HARRIS			2.58
160	10/1/00	J. L. HARRIS			2.59
161	10/1/00	J. L. HARRIS			2.60
162	10/1/00	J. L. HARRIS			2.61
163	10/1/00	J. L. HARRIS			2.62
164	10/1/00	J. L. HARRIS			2.63
165	10/1/00	J. L. HARRIS			2.64
166	10/1/00	J. L. HARRIS			2.65
167	10/1/00	J. L. HARRIS			2.66
168	10/1/00	J. L. HARRIS			2.67
169	10/1/00	J. L. HARRIS			2.68
170	10/1/00	J. L. HARRIS			2.69
171	10/1/00	J. L. HARRIS			2.70
172	10/1/00	J. L. HARRIS			2.71
173	10/1/00	J. L. HARRIS			2.72
174	10/1/00	J. L. HARRIS			2.73
175	10/1/00	J. L. HARRIS			2.74
176	10/1/00	J. L. HARRIS			2.75
177	10/1/00	J. L. HARRIS			2.76
178	10/1/00	J. L. HARRIS			2.77
179	10/1/00	J. L. HARRIS			2.78
180	10/1/00	J. L. HARRIS			2.79
181	10/1/00	J. L. HARRIS			2.80
182	10/1/00	J. L. HARRIS			2.81
183	10/1/00	J. L. HARRIS			2.82
184	10/1/00	J. L. HARRIS			2.83
185	10/1/00	J. L. HARRIS			2.84
186	10/1/00	J. L. HARRIS			2.85
187	10/1/00	J. L. HARRIS			2.86
188	10/1/00	J. L. HARRIS			2.87
189	10/1/00	J. L. HARRIS			2.88
190	10/1/00	J. L. HARRIS			2.89
191	10/1/00	J. L. HARRIS			2.90
192	10/1/00	J. L. HARRIS			2.91
193	10/1/00	J. L. HARRIS			2.92
194	10/1/00	J. L. HARRIS			2.93
195	10/1/00	J. L. HARRIS			2.94
196	10/1/00	J. L. HARRIS			2.95
197	10/1/00	J. L. HARRIS			2.96
198	10/1/00	J. L. HARRIS			2.97
199	10/1/00	J. L. HARRIS			2.98
200	10/1/00	J. L. HARRIS			2.99
201	10/1/00	J. L. HARRIS			3.00
202	10/1/00	J. L. HARRIS			3.01
203	10/1/00	J. L. HARRIS			3.02
204	10/1/00	J. L. HARRIS			3.03
205	10/1/00	J. L. HARRIS			3.04
206	10/1/00	J. L. HARRIS			3.05
207	10/1/00	J. L. HARRIS			3.06
208	10/1/00	J. L. HARRIS			3.07
209	10/1/00	J. L. HARRIS			3.08
210	10/1/00	J. L. HARRIS			3.09
211	10/1/00	J. L. HARRIS			3.10
212	10/1/00	J. L. HARRIS			3.11
213	10/1/00	J. L. HARRIS			3.12
214	10/1/00	J. L. HARRIS			3.13
215	10/1/00	J. L. HARRIS			3.14
216	10/1/00	J. L. HARRIS			3.15
217	10/1/00	J. L. HARRIS			3.16
218	10/1/00	J. L. HARRIS			3.17
219	10/1/00	J. L. HARRIS			3.18
220	10/1/00	J. L. HARRIS			3.19
221	10/1/00	J. L. HARRIS			3.20
222	10/1/00	J. L. HARRIS			3.21
223	10/1/00	J. L. HARRIS			3.22
224	10/1/00	J. L. HARRIS			3.23
225	10/1/00	J. L. HARRIS			3.24
226	10/1/00	J. L. HARRIS			3.25
227	10/1/00	J. L. HARRIS			3.26
228	10/1/00	J. L. HARRIS			3.27
229	10/1/00	J. L. HARRIS			3.28
230	10/1/00	J. L. HARRIS			3.29
231	10/1/00	J. L. HARRIS			3.30
232	10/1/00	J. L. HARRIS			3.31
233	10/1/00	J. L. HARRIS			3.32
234	10/1/00	J. L. HARRIS			3.33
235	10/1/00	J. L. HARRIS			3.34
236	10/1/00	J. L. HARRIS			3.35
237	10/1/00	J. L. HARRIS			3.36
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239	10/1/00	J. L. HARRIS			3.38
240					

Volume Report

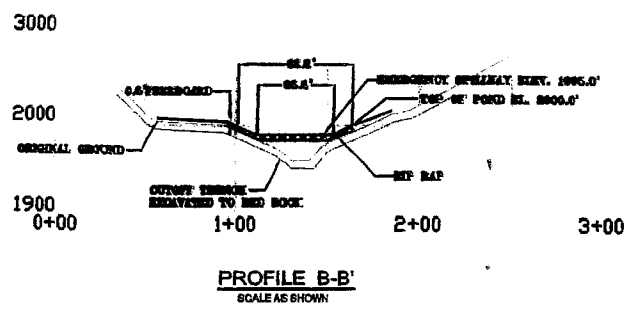
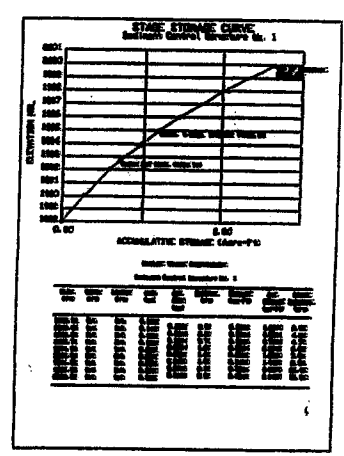
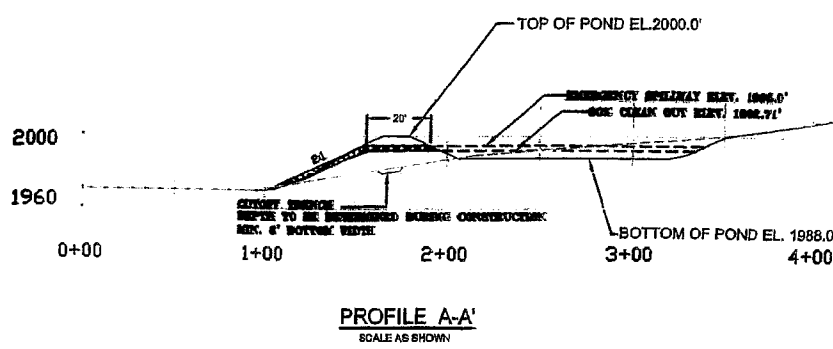
Area in Cut: 6,622.7 S.F., 0.16 Acres
 Area in Fill: 1,642,554.7 S.F., 37.71 Acres
 Total inclusion area: 1,649,177.3 S.F., 37.86 Acres
 Cut to Fill ratio: 0.00
 Average Cut Depth: 6.89 Average Fill Depth: 101.00
 Cut (C.Y.) / Area (acres): 42.68
 Fill (C.Y.) / Area (acres): 162438.30
 Cut volume: 43,832.9 C.Y., 1,616.03 C.Y.
 Fill volume: 166,045,205.7 C.Y., 6,149,822.48 C.Y.



NO.	DESCRIPTION	DATE	BY	CHECKED	APPROVED
1	DESIGN	10/1/00	J. L. HARRIS	J. L. HARRIS	J. L. HARRIS
2	CONSTRUCTION	10/1/00	J. L. HARRIS	J. L. HARRIS	J. L. HARRIS
3	FINAL	10/1/00	J. L. HARRIS	J. L. HARRIS	J. L. HARRIS
4	AS-BUILT	10/1/00	J. L. HARRIS	J. L. HARRIS	J. L. HARRIS
5	REVISION	10/1/00	J. L. HARRIS	J. L. HARRIS	J. L. HARRIS
6	REVISION	10/1/00	J. L. HARRIS	J. L. HARRIS	J. L. HARRIS
7	REVISION	10/1/00	J. L. HARRIS	J. L. HARRIS	J. L. HARRIS
8	REVISION	10/1/00	J. L. HARRIS	J. L. HARRIS	J. L. HARRIS
9	REVISION	10/1/00	J. L. HARRIS	J. L. HARRIS	J. L. HARRIS
10	REVISION	10/1/00	J. L. HARRIS	J. L. HARRIS	J. L. HARRIS

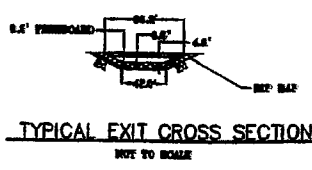
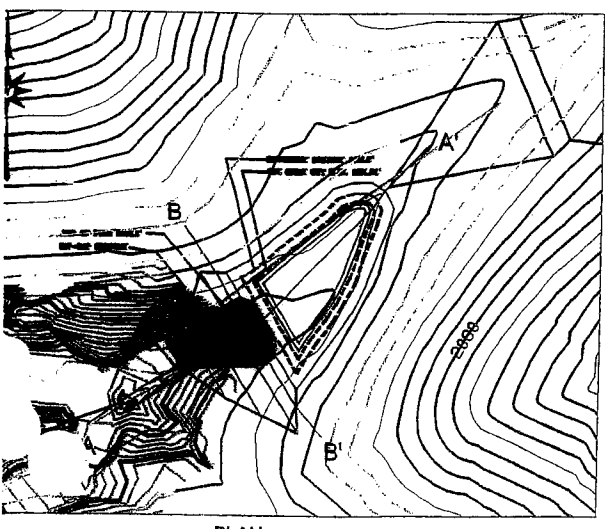
PIONEER FUEL CORPORATION
 10100 PIONEER DRIVE
 PIONEER, MISSISSIPPI 39375
 PHONE: 601/791-1234 FAX: 601/791-1234
 E-MAIL: PIONEER@PIONEER.COM
 WWW: WWW.PIONEER.COM

50P12



STORAGE REQUIRED 1.200 AC-FT

STORAGE PROPOSED 1.203 AC-FT



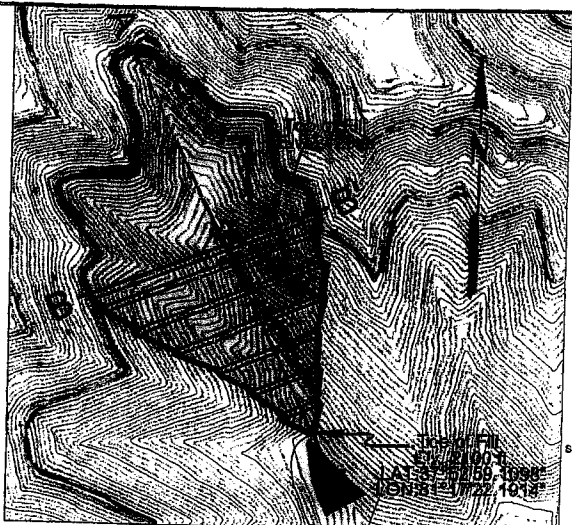
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PIONEER FUEL CORPORATION

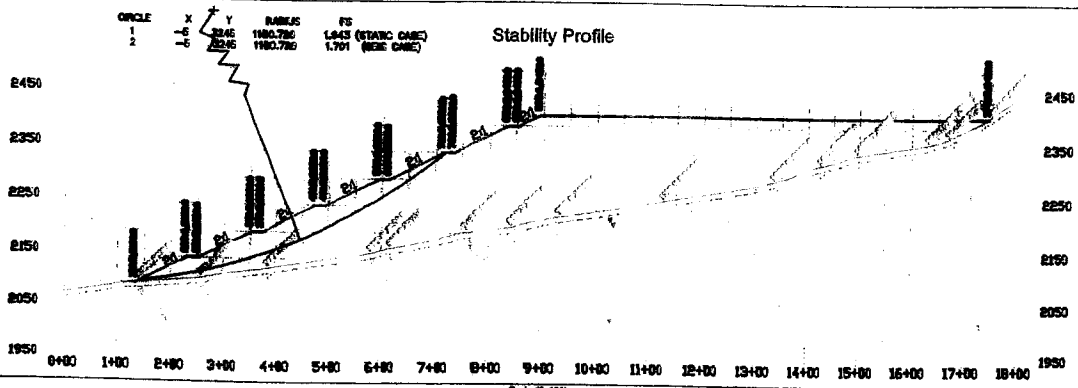
MTES SURFACE MINE

POUND NO. 2

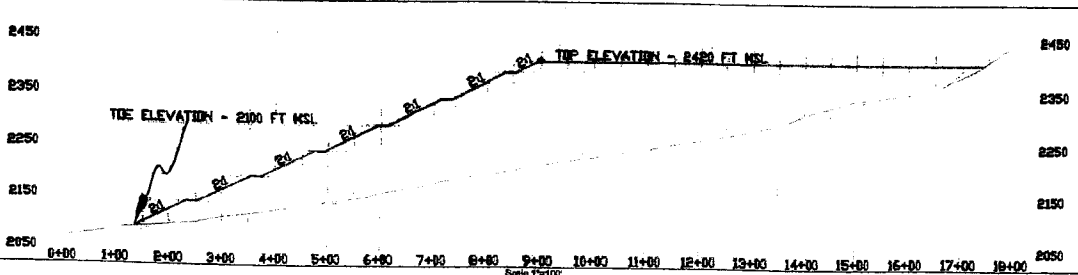
DESIGNED BY: *Geophysical Services, LLC*



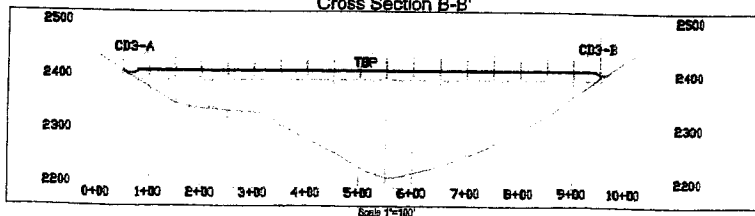
Plan
Scale 1"=200'



Profile A-A'



Cross Section B-B'



Volume Report
 Area In Cut: 966.7 S.F., 0.02 Acres
 Area In Fill: 838,621.4 S.F., 19.25 Acres
 Total Inclusion area: 839,588.2 S.F., 19.27 Acres
 Cut to Fill ratio: 0.00
 Average Cut Depth: 1.44 Average Fill Depth: 75.71
 Max Cut Depth: 5.66 Max Fill Depth: 204.66
 Cut (C.Y.) / Area (acres): 2.68
 Fill (C.Y.) / Area (acres): 122006.76
 Cut volume: 1,394.6 C.F., 51.65 C.Y.
 Fill volume: 63,493,035.8 C.F., 2,351,683.62 C.Y.

No.	Date	Revised	By	Check	Drawn	Scale
1	5-4-00	REVISION	BY	APPROVED	APPROVED	BY
2	10-28-00	REVISION	BY	APPROVED	APPROVED	BY
3		REVISION	BY	APPROVED	APPROVED	BY
4		REVISION	BY	APPROVED	APPROVED	BY
5		REVISION	BY	APPROVED	APPROVED	BY
6		REVISION	BY	APPROVED	APPROVED	BY
7		REVISION	BY	APPROVED	APPROVED	BY
8		REVISION	BY	APPROVED	APPROVED	BY
9		REVISION	BY	APPROVED	APPROVED	BY
10		REVISION	BY	APPROVED	APPROVED	BY

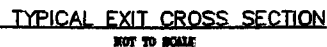
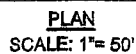
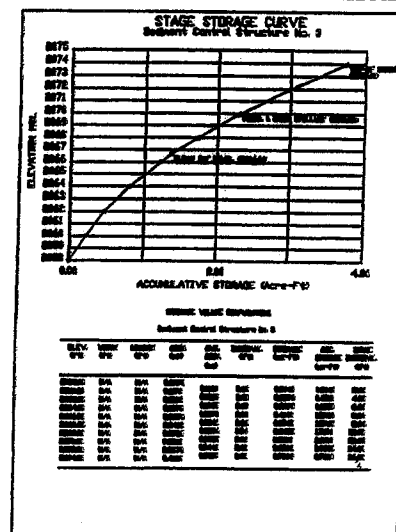
I, the undersigned, do hereby certify that this report is correct and true to the best of my knowledge and belief and the information reported by the various parties to this work.

By: _____

Title: _____

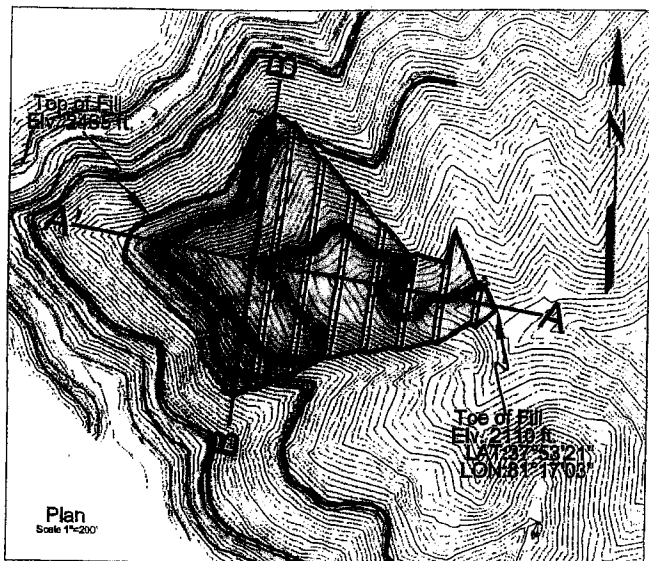
My commission expires: _____

PIONEER FUEL CORPORATION
 1000 PIONEER DRIVE
 CHICAGO, ILL. 60606
 MT. BE SURFACE MINE
 PROJECT NO. 0-000-00
 (Pioneer, Illinois)
 FILLING, PLAN, PROFILE AND SECTION
 APPROVED BY
Safe Quantity Survey, LLC
 1000 PIONEER DRIVE



STORAGE REQUIRED .89 AC-FT
STORAGE PROPOSED 2.31 AC-FT

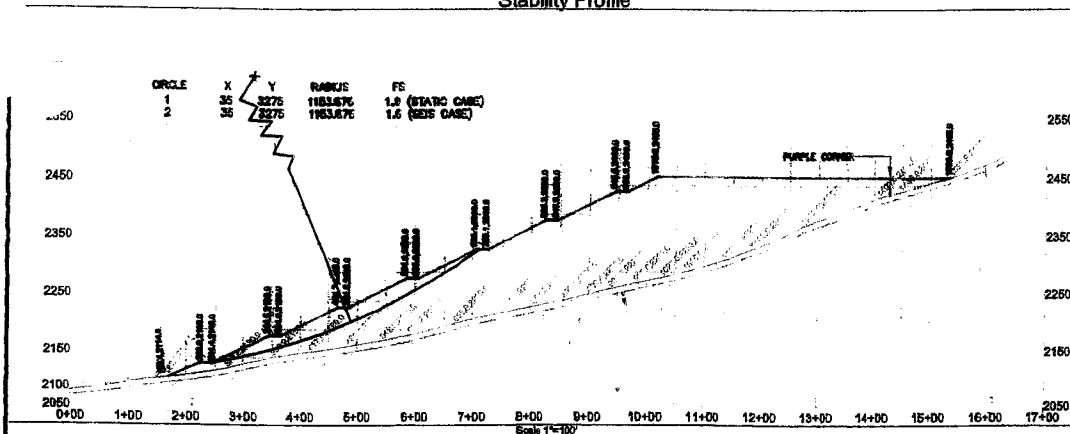
1	Mr.	Mr. [redacted]	Dr.	Dr. [redacted]	Mr. [redacted]	Mr. [redacted]
2					AF 0000-00	000000
3					WALSH	WALSH
4					MA	MA
5					000000	0000
6					FOND 4.000	
7					MA	MA
8					000000	1001
9					MA	MA
10					MA	MA
11					MA	MA
12					MA	MA
13					MA	MA
14					MA	MA
15					MA	MA
16					MA	MA
17					MA	MA
18					MA	MA
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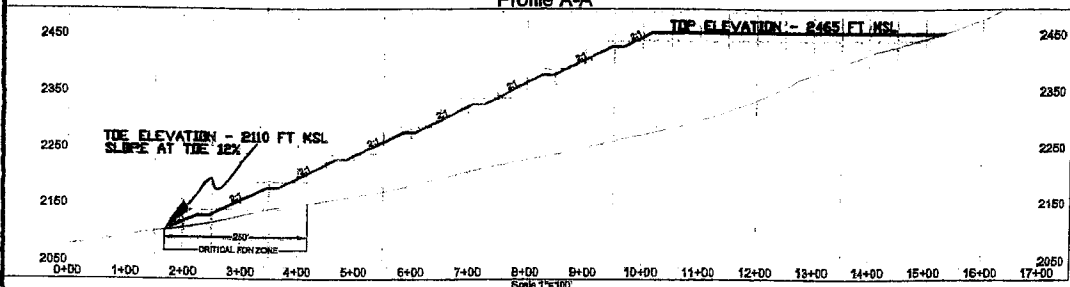
Volume Report

Area in Cut : 7,590.8 S.F., 0.17 Acres
 Area in Fill: 654,609.7 S.F., 15.03 Acres
 Total inclusion area: 662,200.5 S.F., 15.20 Acres
 Cut to Fill ratio: 0.00
 Average Cut Depth: 2.50 Average Fill Depth: 67.27
 Cut (C.Y.) / Area (acres): 46.16
 Fill (C.Y.) / Area (acres): 107279.94
 Cut volume: 18,945.2 C.F., 701.88 C.Y.
 Fill volume: 44,033,573.8 C.F., 1,630,873.11 C.Y.

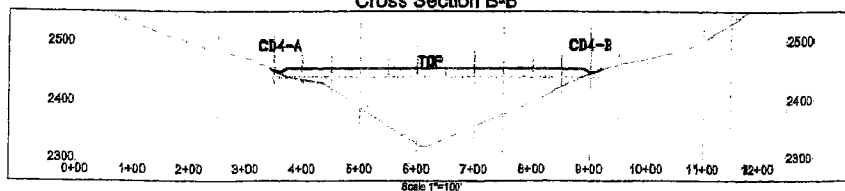
Stability Profile



Profile A-A'



Cross Section B-B'



PROJECT INFORMATION		DRAWING INFORMATION	
NO.	DATE	BY	DATE
1	5-1-00	BRW/PLANNING	5-1-00
2			
3			
4			
5			
6			
7			
8			
9			

1. The undersigned, do hereby certify that this map is correct, and true to the best of my knowledge and belief at the information required by the surface mining laws of this state.

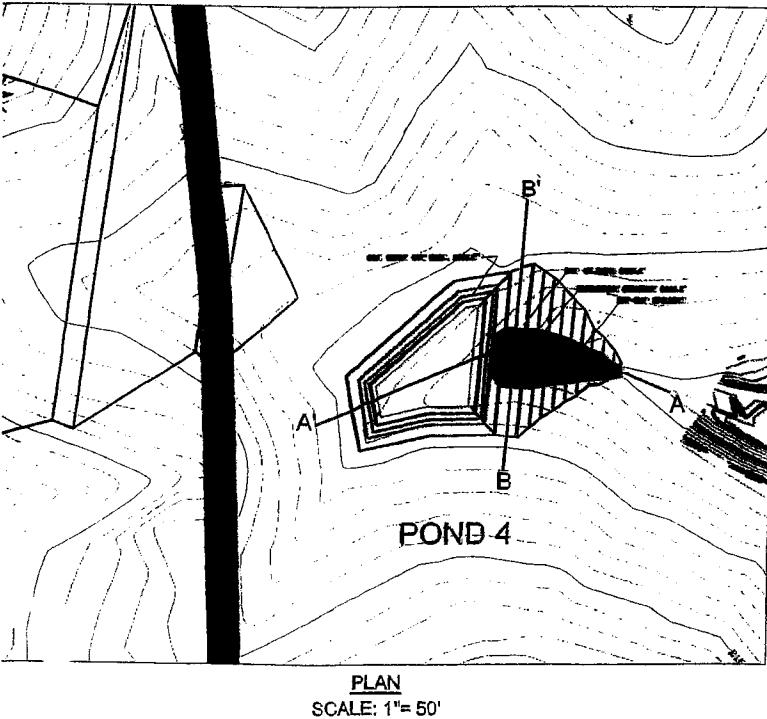
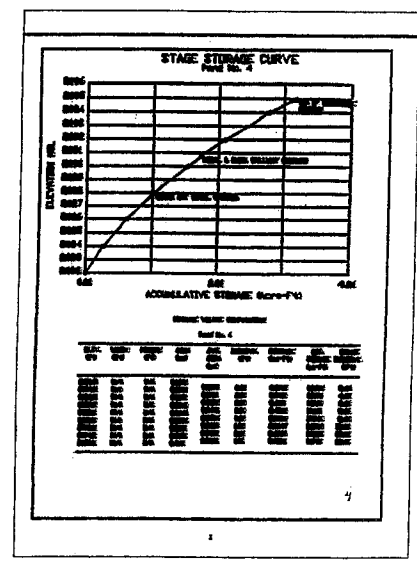
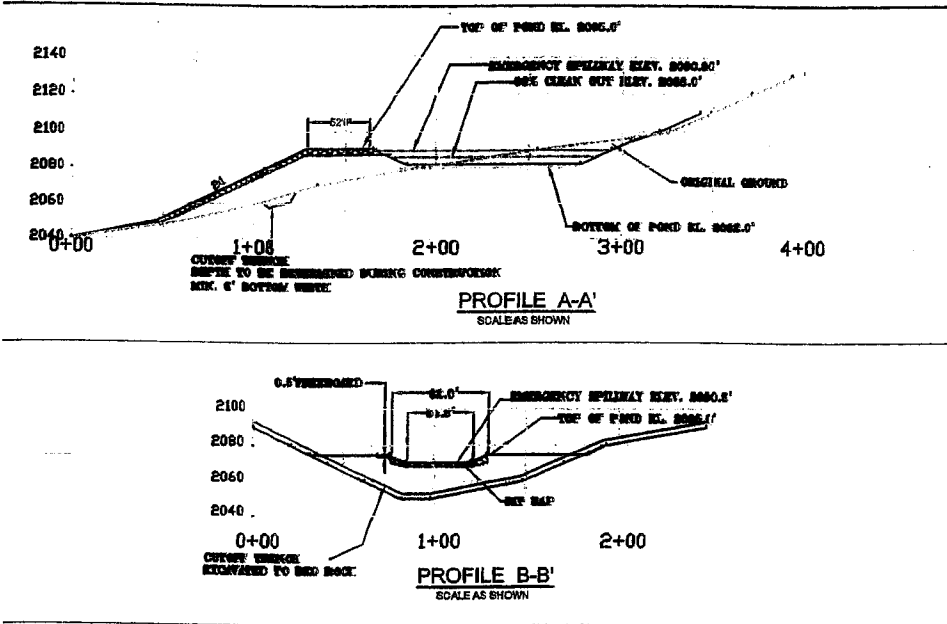
By: _____

State, and county, and county to me: _____

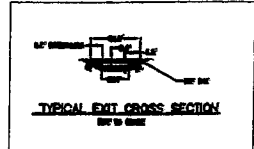
My commission expires: _____

PIONEER FUEL CORPORATION
 400 BATTERY ROAD
 CHARLOTTE, N.C.
 MT 65 SURFACE MINE
 PERMIT NO. S-0010-00
 FILL NO. 4 PLAN, PROFILE AND SECTION
 2/20/00/00/00/00

DESIGNED BY: **Drake Consulting Services, LLC**
 1000 E. 10th Street, Suite 100, Raleigh, NC 27601



STORAGE REQUIRED 1.67 AC-FT
 STORAGE PROPOSED 1.73 AC-FT

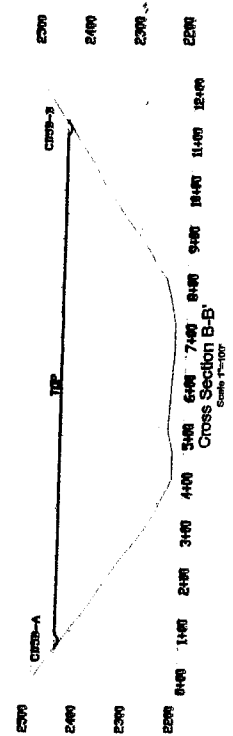
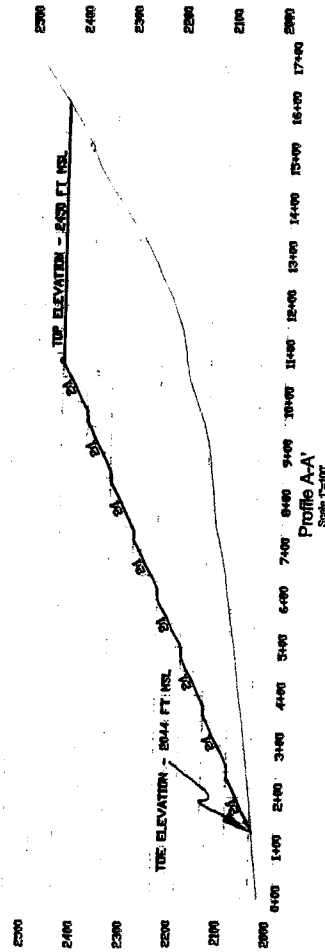
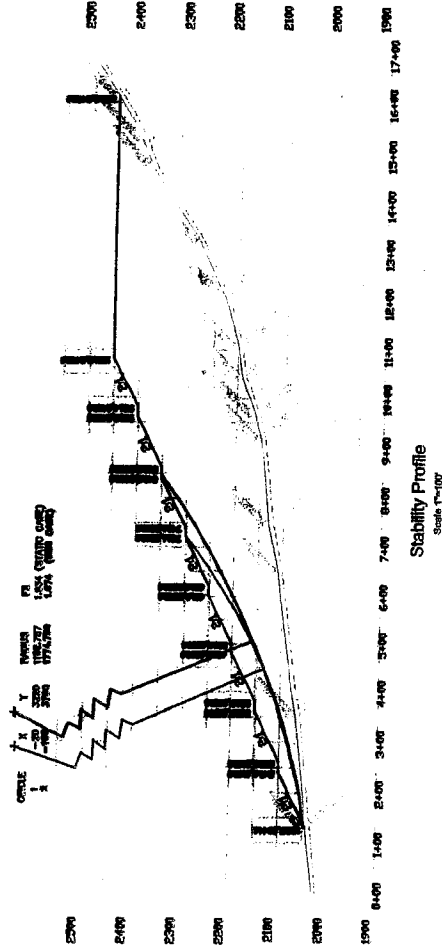


Volume Report

Area in Cut: 1,252.8 S.F., 0.03 Acres
 Area in Fill: 1,552,944.1 S.F., 35.65 Acres
 Total Inclusion area: 1,554,197.0 S.F., 35.68 Acres
 Cut to Fill ratio: 0.00
 Average Cut Depth: 0.78 Average Fill Depth: 95.59
 Cut (C.Y.) / Area (acres): 154089.06
 Fill (C.Y.) / Area (acres): 36.20 C.Y.
 Fill volume: 148,440,955.9 C.F., 5,487,813.29 C.Y.



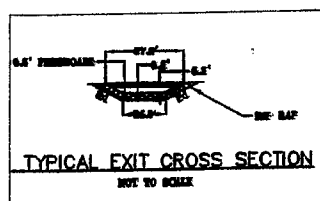
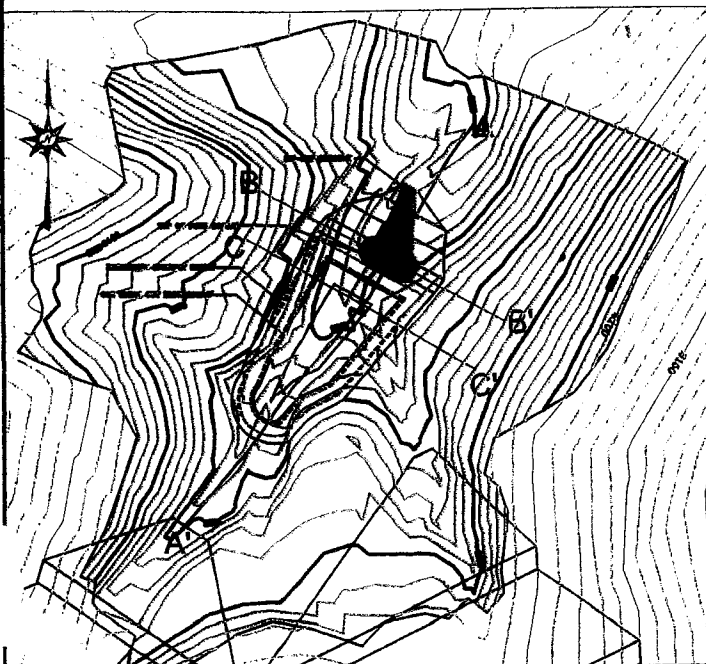
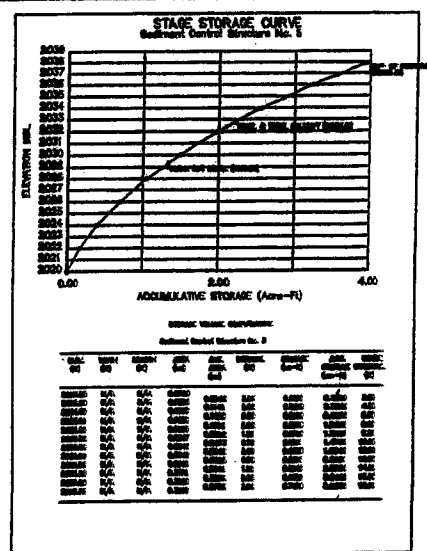
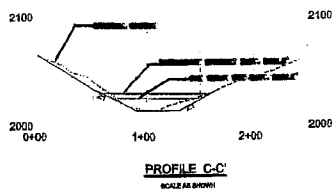
Plan
Scale 1"=100'



NO.	DESCRIPTION	DATE	BY	CHECKED	APPROVED
1	DESIGNED BY				
2	DRAWN BY				
3	CHECKED BY				
4	APPROVED BY				
5	DATE				
6	PROJECT NO.				
7	PROJECT NAME				
8	PROJECT LOCATION				
9	PROJECT DESCRIPTION				
10	PROJECT STATUS				
11	PROJECT OWNER				
12	PROJECT CONTACT				
13	PROJECT PHONE				
14	PROJECT FAX				
15	PROJECT E-MAIL				
16	PROJECT WEBSITE				
17	PROJECT ADDRESS				
18	PROJECT CITY				
19	PROJECT STATE				
20	PROJECT ZIP				
21	PROJECT COUNTY				
22	PROJECT DISTRICT				
23	PROJECT ZONE				
24	PROJECT SUBZONE				
25	PROJECT LOT				
26	PROJECT PARCEL				
27	PROJECT TRACT				
28	PROJECT SECTION				
29	PROJECT TOWNSHIP				
30	PROJECT RANGE				
31	PROJECT MERIDIAN				
32	PROJECT BEARING				
33	PROJECT DISTANCE				
34	PROJECT AREA				
35	PROJECT PERIMETER				
36	PROJECT VOLUME				
37	PROJECT WEIGHT				
38	PROJECT LENGTH				
39	PROJECT WIDTH				
40	PROJECT HEIGHT				
41	PROJECT DEPTH				
42	PROJECT TEMPERATURE				
43	PROJECT HUMIDITY				
44	PROJECT PRESSURE				
45	PROJECT VELOCITY				
46	PROJECT ACCELERATION				
47	PROJECT FREQUENCY				
48	PROJECT PERIOD				
49	PROJECT PHASE				
50	PROJECT MODE				
51	PROJECT STATE				
52	PROJECT ACTION				
53	PROJECT RESULT				
54	PROJECT ERROR				
55	PROJECT WARNING				
56	PROJECT MESSAGE				
57	PROJECT LOG				
58	PROJECT HISTORY				
59	PROJECT SETTINGS				
60	PROJECT OPTIONS				
61	PROJECT FEATURES				
62	PROJECT TOOLS				
63	PROJECT HELP				
64	PROJECT ABOUT				
65	PROJECT CONTACT				
66	PROJECT SUPPORT				
67	PROJECT FEEDBACK				
68	PROJECT NEWS				
69	PROJECT EVENTS				
70	PROJECT OFFERS				
71	PROJECT PROMOS				
72	PROJECT COUPONS				
73	PROJECT REWARDS				
74	PROJECT POINTS				
75	PROJECT LEVELS				
76	PROJECT RANKS				
77	PROJECT TITLES				
78	PROJECT AVATARS				
79	PROJECT SKILLS				
80	PROJECT STATS				
81	PROJECT RECORDS				
82	PROJECT LEADERBOARDS				
83	PROJECT ACHIEVEMENTS				
84	PROJECT BADGES				
85	PROJECT UNLOCKS				
86	PROJECT PURCHASES				
87	PROJECT SALES				
88	PROJECT INVENTORY				
89	PROJECT CATALOG				
90	PROJECT SHOP				
91	PROJECT MARKETPLACE				
92	PROJECT AUCTION				
93	PROJECT BIDDING				
94	PROJECT OFFERS				
95	PROJECT BIDS				
96	PROJECT WINS				
97	PROJECT LOSSES				
98	PROJECT CANCELS				
99	PROJECT REFUNDS				
100	PROJECT COMPLAINTS				

PIONEER FUEL CORPORATION

Empire Quantity Services LLC



STORAGE REQUIRED	1.91 AC-FT
STORAGE PROPOSED	2.21 AC-FT

1	Sex	Marital	Do	Other	Address	Birth
2					AP-600-05	INDEX
3					Country	Occupation
4					REL	DOB
5					Full Name	
6					FOND EDWARDS	
7					State	Birth
8					AGE (MONTHS)	5 of 1
9					Name	PAUL BOULDER
10					Address	FLORIAN / COLEMAN PARK
11					Address	PO BOX 11141410

I, the undersigned, do hereby certify that the above is correct, and that to the best of my knowledge and belief all the information required by the statute relating hereon is given.

By _____

Witness, subscribed, and sworn to me this _____ day of _____, 1960.

My commission expires _____

[Redacted Signature]

[Redacted Signature]

PIONEER FUEL CORPORATION

400 SOUTHERN LAKE
CHATTANOOGA, TN.

MTRB SURFACE MINE
PO BOX NO. 42000
GREENSBORO, N.C. 27402
MESA, N.C. 27555
FOND NO. 6
ATMOSPHERE 7

PREPARED BY
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